

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FUEL CELL ANODE STRUCTURES FOR VOLTAGE REVERSAL TOLERANCE**

the specification of which was filed as U.S. Patent Application Serial No. 09/835,905 on April 16, 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) or section 365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

PCT/International Appl. No. PCT/GB01/00458.

I hereby claim the benefit under Title 35, United States Code, section 119(e) of any United States provisional application(s) listed below:

60/150,253, filed August 23, 1999.

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s), or section 365(c) of any PCT international application designating

the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/585,696, filed June 1, 2000.

I hereby appoint:

George P. McAndrews	Reg. No. 22,760
John J. Held	Reg. No. 21,061
Timothy J. Malloy	Reg. No. 25,600
William M. Wesley	Reg. No. 26,521
Lawrence M. Jarvis	Reg. No. 27,341
Gregory J. Vogler	Reg. No. 31,313
Jean Dudek Kuelper	Reg. No. 30,171
Herbert D. Hart III	Reg. No. 30,063
Robert W. Fieseler	Reg. No. 31,826
D. David Hill	Reg. No. 35,543
Thomas J. Wimbiscus	Reg. No. 36,059
Steven J. Hampton	Reg. No. 33,707
Priscilla F. Gallagher	Reg. No. 32,223
Stephen F. Sherry	Reg. No. 30,590
Patrick J. Arnold Jr.	Reg. No. 37,769
George Wheeler	Reg. No. 28,766
Janet M. McNicholas	Reg. No. 32,918
Ronald E. Larson	Reg. No. 24,478
Christopher C. Winslade	Reg. No. 36,308
Edward A. Mas II	Reg. No. 37,179
Gregory C. Schodde	Reg. No. 36,668
Edward W. Remus	Reg. No. 25,703
Donald J. Pochopien	Reg. No. 32,167
Sharon A. Hwang	Reg. No. 39,717
David D. Headrick	Reg. No. 40,642
Dean D. Small	Reg. No. 34,730
Alejandro Menchaca	Reg. No. 34,389
Kirk A. Vander Leest	Reg. No. 34,036
Richard T. McCaulley, Jr.	Reg. No. 41,977
Anthony E. Dowell	Reg. No. 39,661
Peter J. McAndrews	Reg. No. 38,547
Jonathan R. Sick	Reg. No. 43,920
Eligio C. Pimentel	Reg. No. 42,076

James P. Murphy	Reg. No. 40,741
Dean A. Pelletier	Reg. No. 45,007
Michael B. Harlin	Reg. No. 43,658
James R. Nuttall	Reg. No. 44,978
Joseph M. Barich	Reg. No. 42,291
Scott P. McBride	Reg. No. 42,853
Patricia J. McGrath	Reg. No. 44,919
Christopher V. Carani	Reg. No. 44,049
Jennifer E. Lacroix	Reg. No. 46,852
Stephen M. Miller	Reg. No. 40,728
Troy A. Groetken	Reg. No. 46,442

the address and telephone number of each of whom is McAndrews, Held & Malloy, Ltd., 500 West Madison Street, 34th Floor, Chicago, Illinois 60661, 312/775-8000, as our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct telephone calls to Robert W. Fieseler at (312) 775-8123. Please direct facsimiles to Robert W. Fieseler at (312) 775-8100.

Please address correspondence to:

Robert W. Fieseler  
McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor John M. Gascoyne

Inventor's signature




Date 23 MAY 01

Residence Address: Lyduska, Routs Green  
Bledlow Ridge, High Wycombe  
Bucks HP14 4BB, UK

Citizenship: British

Post Office Address: Johnson Matthey Public Limited Company  
2-4 Cockspur Street  
Trafalgar Square  
London, SW1Y 5BQ

Full name of second inventor Shanna D. Knights

Inventor's signature  Date June 22, 2001

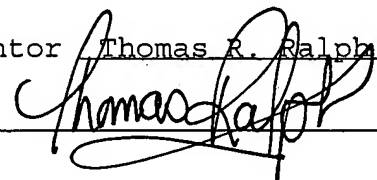
Residence Address: 103-55 East 10<sup>th</sup> Avenue  
Vancouver, BC  
Canada V5T 1Y9

5376 Forest St.  
Burnaby, B.C. V5G 1X2  
Canada

Citizenship: Canadian

Post Office Address: Ballard Power Systems Inc.  
9000 Glenlyon Parkway  
Burnaby, B.C.  
Canada V5J 5J9

Full name of third inventor Thomas R. Ralph

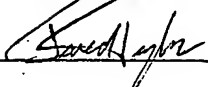
Inventor's signature  Date 23 MAY 01

Residence Address: 94 Shaftesbury Road  
Reading RG30 2QJ, UK

Citizenship: British

Post Office Address: Same as first joint inventor

Full name of fourth inventor Jared L. Taylor

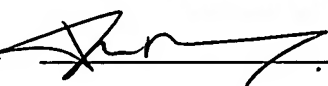
Inventor's signature  Date June 20/01

Residence Address: 200 Solano Park Circle #3P  
Davis, California  
U.S.A. 95616

Citizenship: Canadian

Post Office Address: Same as residential address

Full name of fifth inventor: David P. Wilkinson

Inventor's signature  Date May 29<sup>th</sup>, 2001.

Residence Address: 1391 Coleman Street  
North Vancouver, British Columbia  
Canada V7K 1W4

Citizenship: Canadian

Post Office Address: Same as second joint inventor

SUBSTITUTE DECLARATION (1 of 3)

This Substitute Declaration supercedes the corresponding provisions set forth in the Declaration and Power of Attorney presently of record, which was submitted to the U.S. patent and Trademark Office in connection with the present application on or around September 7, 2001.

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**FUEL CELL ANODE STRUCTURES FOR VOLTAGE REVERSAL TOLERANCE**

the specification of which was filed as U.S. Patent Application Serial No. 09/835,905 on April 16, 2001, and was amended in an Amendment and Request for Reconsideration submitted concurrently herewith.

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the same subject matter having a filing date before that of the application on which priority is claimed:

NONE.

I hereby claim the benefit under Title 35, United States Code, section 119(e) of any United States provisional application(s) listed below:

NONE.

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U.S. Non-Provisional Patent Application Serial No. 09/585,696,  
filed June 1, 2000;

International Application No. PCT/GB01/00458,  
filed February 6, 2001.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor John M. Gascoyne

Inventor's signature



Date 28<sup>th</sup> May 03

Residence Address Lyduska, Bouts Green  
Bledlow Ridge, High Wycombe  
Bucks HP14 4BB, UK

Citizenship: British

Post Office Address: Johnson Matthey Public Limited Company  
2-4 Cockspur Street  
Trafalgar Square  
London, SW1Y 5BQ

Full name of second inventor Shanna D. Knights

Inventor's signature

Date

Residence Address 103-55 East 10<sup>th</sup> Avenue

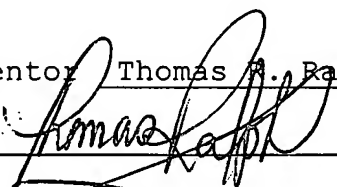
Vancouver, BC, Canada V5T 1Y9

Citizenship: Canadian

Post Office Address: Ballard Power Systems Inc.  
9000 Glenlyon Parkway  
Burnaby, B.C., Canada V5J 5J9

Full name of third inventor Thomas A. Ralph

Inventor's signature



Date 17<sup>th</sup> June 2003

Residence Address 94 Shaftesbury Road  
Reading RG30 2QJ, UK

Citizenship: British

Post Office Address: Same as first joint inventor



Full name of fourth inventor Jared L. Taylor

Inventor's signature \_\_\_\_\_ Date

Residence Address

Citizenship: Canadian

Post Office Address: Same as second joint inventor

Full name of fifth inventor: David P. Wilkinson

Inventor's signature \_\_\_\_\_ Date

Residence Address: 1391 Coleman Street, North Vancouver,  
British Columbia, Canada V7K 1W4

Citizenship: Canadian

Post Office Address: Same as second joint inventor

SUBSTITUTE DECLARATION (2 of 3)

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Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

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London, SW1Y 5BQ

Full name of second inventor Shanna D. Knights

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

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Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Address 94 Shaftesbury Road  
Reading RG30 2QJ, UK

Citizenship: British

Post Office Address: Same as first joint inventor

Full name of fourth inventor Jared L. Taylor

Inventor's signature

[Signature]

Date May 21/03

Residence Address

4400 Solano Park Circle Apt# 4234

Davis, CA, USA 95616

Citizenship:

Canadian

Post Office Address:

Same as second joint inventor

Full name of fifth inventor: David P. Wilkinson

Inventor's signature

[Signature]

Date May 27, 2003.

Residence Address:

1391 Coleman Street, North Vancouver,  
British Columbia, Canada V7K 1W4

Citizenship:

Canadian

Post Office Address:

Same as second joint inventor

SUBSTITUTE DECLARATION (3 of 3)

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Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

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Full name of second inventor Shanna D. Knights

Inventor's signature  Date May 26, 2003

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Vancouver, BC, Canada V5T 1Y9

Citizenship: Canadian

Post Office Address: Ballard Power Systems Inc.  
9000 Glenlyon Parkway  
Burnaby, B.C., Canada V5J 5J9

Full name of third inventor Thomas R. Ralph

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Address 94 Shaftesbury Road  
Reading RG30 2QJ, UK

Citizenship: British

Post Office Address: Same as first joint inventor



Full name of fourth inventor Jared L. Taylor

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Address \_\_\_\_\_

Citizenship: Canadian

Post Office Address: Same as second joint inventor

Full name of fifth inventor: David P. Wilkinson

Inventor's signature *David P. Wilkinson* Date May 27, 2003.

Residence Address: 1391 Coleman Street, North Vancouver,  
British Columbia, Canada V7K 1W4

Citizenship: Canadian

Post Office Address: Same as second joint inventor